

US 11/2001

TERMINAL DISCLAIMER

Docket Number (Optional)

DP-8875 US NA

In re Application of: Ismael A. Hernandez, et al.

Application No. 09/834,805

Filed: August 22, 2001

For: FIBERFILL PRODUCTS COMPRISING POLYTRIMETHYLENE TEREPHTHALATE STAPLE FIBERS, YARNS AND FABRICS

The owner, E. J. du Pont de Nemours and Company of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application or any continuation or division thereof, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application Numbers 09/834,853 and 09/834,804, both filed on August 22, 2001, or any continuation or division thereof (hereinafter each individually referred to as "second application"). The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

Mark D. Kuller

Signature

4/29/02

Date

Mark D. Kuller, Reg. No. 31,025

Type or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/06 may be used for making this certification. See MPEP § 324.

Briefing Note Statement: This form is estimated to take 6.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Records, Washington, DC 20231.

JAN 14 2002

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110

Complete if known	
Application Number	09/034,905
Filing Date	August 22, 2001
First Named Inventor	Ismael A. Hernandez, et al.
Examiner Name	Unknown
Class / Art Unit	3783
Attorney Docket No.	DP-5875 US MA

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 04-1028

Deposit Account Name: E. I. du Pont de Nemours and Company

The Comptroller is authorized to: (check all that apply)

☒ Charge fees indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-indicated deposit account

FEE CALCULATION

1. BASIC FILING FEE	
Large Entity	Small Entity
Fee Code (S)	Fee Code (S)
101 740	301 370
102 330	206 165
107 518	207 255
108 740	308 370
114 100	214 60
SUBTOTAL (T) (\$)	
0	

2. EXTRA CLAIM FEES

Total Claims: 30 = 30 X 16 = 480

Independent Claims: 3 = 3 X 84 = 252

Multiple Dependent: ☐ X 250 = 0

Large Entity	Small Entity
Fee Code (S)	Fee Code (S)
103 18	203 9
102 84	202 42
104 280	204 140
109 84	209 42
110 18	210 9
SUBTOTAL (T) (\$)	
0	

\*For number previously paid, if greater, For Refunds, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES	
Large Entity	Small Entity
Fee Code (S)	Fee Code (S)
100 130	305 65
107 50	227 25
108 138	130 130
147 2,530	147 2,530
112 820	112 820
113 1,840	113 1,840
115 115	215 55
116 400	216 300
117 625	217 450
118 1,440	218 730
128 1,880	228 980
119 320	219 190
120 320	220 190
121 280	221 140
138 1,510	138 1,510
140 110	240 55
141 1,238	241 640
142 1,238	242 640
143 680	243 230
144 620	244 310
122 130	122 130
123 50	123 50
125 180	125 180
351 40	351 40
149 740	346 370
148 740	348 370
178 740	279 370
189 900	189 900
Other fee (specify): Filing a Trademark Declaration 110	
SUBTOTAL (T) (\$)	
110	

\*Reduced by Basic Filing Fee Paid

1814  
170.5

SUBMITTED BY

Name (Print/Print)	Mark D. Keller	Registration No. Attorney/Agent	31,525	Telephone	(202) 530-1354
Signature	Mark D. Keller	Date	April 24, 2002		

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